

**FILED**

JAN 03 2006

Gregory F. Hurley (SBN 126791)  
 Richard H. Hikida (SBN 196149)  
 650 Town Center Drive, Suite 1700  
 Costa Mesa, California 92626  
 Telephone: (714) 708-6500  
 Facsimile: (714) 708-6501

RICHARD W. WIEKING  
 CLERK U.S. DISTRICT COURT,  
 NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

Moeller, et al

CASE NUMBER:

02-cv-05849

Plaintiff(s)

v.

Taco Bell Corporation

Defendant(s)

SUBSTITUTION OF ATTORNEY

**FAXED**

Taco Bell Corporation

Name of Party

☐ Plaintiff ☒ Defendant ☐ Other

who is

heroby substitutes Gregory F. Hurley

☒ Retained Counsel☐ Court Appointed Counsel☐ Pro Per

650 Town Center Drive, Suite 1700

Street Address

Costa Mesa, California 92626

City, State, Zip Code

(714) 708-6500

Telephone Number

(714) 708-6501

Facsimile Number

126791

State Bar Number

as attorney of record in the place and stead of Jeffrey H. Dasteel

Present Attorney

Dated: December 20, 2005

TACO BELL CORPORATION

I have given proper notice pursuant to Local Rule 83-2.9.2 and further consent to the above substitution.

Dated: December 20, 2005

Signature of Present Attorney

Skadden, Arps, Slate, Meagher &amp; Flom

I am duly admitted to practice in this District pursuant to Local Rule 83-2.8.

Dated: December 20, 2005

Signature of New Attorney

Gregory F. Hurley

Substitution of Attorney is hereby ☒ Approved. ☐ Denied.

Dated: December 29, 2005

United States District Judge / Magistrate Judge  
 Hon. Martin J. Jenkins

**NOTICE TO COUNSEL:**

If you are currently enrolled in the Optical Scanning Program and have changed your facsimile number or e-mail address since your enrollment, you must complete an Enrollment/Update Form (1-76 to ensure that documents are served at the proper facsimile number or e-mail address. This form, as well as information about the Optical Scanning Program, is available on the Court's website at [www.cdusdcourt.gov](http://www.cdusdcourt.gov).

**SUBSTITUTION OF ATTORNEY**

001

12-20-05

02:58PM

From: SMTP-SKADDEN.NET

lac9590fax@skadden.com T-081 P.001/002 F-885

Gregory F. Hurley (SBN 126791)  
 Richard H. Hixida (SBN 196140)  
 650 Town Center Drive, Suite 1700  
 Costa Mesa, California 92626  
 Telephone: (714) 708-6500  
 Facsimile: (714) 708-6501

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

Moeller, et al

CASE NUMBER:

02-cv-05849

Plaintiff(s)

v.

Taco Bell Corporation

SUBSTITUTION OF ATTORNEY

Defendant(s)

Taco Bell Corporation

☐ Plaintiff ☒ Defendant ☐ Other

I hereby substitute Gregory F. Hurley

who is

☒ Retained Counsel☐ Court Appointed Counsel☐ Pro Per

650 Town Center Drive, Suite 1700

Costa Mesa, California 92626

(714) 708-6500

(714) 708-6501

126791

as attorney of record in the place and stead of Jeffrey H. Dastous

Former Attorney

Dated: December 20, 2005

TACO BELL CORPORATION

I have given proper notice pursuant to Local Rule 83-2.9.2 and further consent to the above substitution.

Dated: December 20, 2005

Skadden, Arps, Slate, Meagher &amp; Flom

I am duly admitted to practice in this District pursuant to Local Rule 83-2.8.

Dated: December 20, 2005

Gregory F. Hurley

Substitution of Attorney is hereby ☐ Approved. ☒ Denied.

Dated: December 20, 2005

 United States District Judge / Magistrate Judge  
 Hon. Martin J. Jenkins

## NOTICE TO COUNSEL:

If you are currently enrolled in the Optical Scanning Program and have changed your facsimile number or e-mail address since your enrollment, you must complete an Enrollment/Update Form G-96 to ensure that documents are served at the proper facsimile number or e-mail address. This form, as well as information about the Optical Scanning Program, is available on the Court's website at [www.psd.uscourts.gov](http://www.psd.uscourts.gov).

SUBSTITUTION OF ATTORNEY

**PROOF OF SERVICE****STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is 650 Town Center Drive, Suite 650, Costa Mesa, CA 92626.

On December 21, 2005, I served the SUBSTITUTION OF ATTORNEY on the interested parties in this action by placing the true copy thereof, enclosed in a sealed envelope, postage prepaid, addressed as follows:

SEE ATTACHED SERVICE LISTING

☒ **(BY MAIL)**

☐ I deposited such envelope in the mail at Costa Mesa, California. The envelope was mailed with postage thereon fully prepaid.

☒ I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for mailing with United States Postal Service. The foregoing sealed envelope was placed for collection and mailing this date consistent with the ordinary business practice of my place of employment, so that it will be picked up this date with postage thereon fully prepaid at Costa Mesa, California, in the ordinary course of such business.

☐ **(BY FEDERAL EXPRESS)**

I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for delivery by Federal Express. Under the practice it would be deposited with Federal Express on that same day with postage thereon fully prepared at Costa Mesa, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if delivery by Federal Express is more than one day after date of deposit with Federal Express.

☐ **(BY FACSIMILE)**

On Type Date here, I transmitted the foregoing document(s) by facsimile sending number. Pursuant to rule 2009(i)(4), I caused the machine to print a transmission record of the transmission, a true and correct copy of which is attached to this declaration.

☐ **(BY PERSONAL SERVICE)**

I delivered such envelope by hand to the offices of the addressee. Executed on Type Date here, at Costa Mesa, California.

☐ **(STATE)**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ **(FEDERAL)**

I declare under penalty of perjury that the foregoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

Executed on December 21, 2005, at Costa Mesa, California

  
Signature  
**STACEY SAUTTER**  
Print Name

Print Name

**SERVICE LIST**  
**Moeller, et al. v. Taco Bell Corp.**

<p>Jamerson C. Allen, Esq.  Jackson Lewis LLP  199 Fremont Street, 10<sup>th</sup> Floor  San Francisco, CA 94105  (415) 394-9400; Fax: (415) 394-9401  <b>Attorneys for Defendant</b>  <b>Taco Bell Corporation</b></p>	<p>Jeffrey H. Dasteel, Esq.  Titania Jean Mooney, Esq.  Skadden Arps Slate Meagher and Flom, LLP  300 South Grand Avenue, Suite 3400  Los Angeles, CA 90071-3144  (213) 687-5000; Fax: (213) 687-5600  <b>Attorneys for Defendant</b>  <b>Taco Bell Corporation</b></p>
<p>Gregory A. Eurich, Esq.  Jimmy Goh, Esq.  Holland &amp; Hart, LLP  555 17<sup>th</sup> Street, Suite 3200  Denver, CO 80202  (303) 295-8000  <b>Attorneys for Defendant</b>  <b>Taco Bell Corporation</b></p>	<p>Timothy P. Fox, Esq.  Amy F. Robertson, Esq.  Fox &amp; Robertson, P.C.  910-16<sup>th</sup> Street, Suite 610  Denver, CO 80202  (303) 595-9700; Fax: (303) 595-9705  <b>Attorneys for Plaintiffs</b>  <b>Craig Thomas Yates</b>  <b>Edward Muegge</b>  <b>Francie E. Moeller</b>  <b>Katherine Corbett</b></p>
<p>Thomas P. Howard, Esq.  245 Century Circle, Suite 206  Louisville, CO 80202  (303) 665-3822; Fax: (303) 665-3821  <b>Attorneys for Defendant</b>  <b>Taco Bell Corporation</b></p>	<p>Jocelyn D. Larkin, Esq.  Brad Seligman, Esq.  The Impact Fund  125 University Avenue  Berkeley, CA 94710  (510) 845-3473; Fax: (510) 845-3645  <b>Attorneys for Plaintiffs</b>  <b>Craig Thomas Yates</b>  <b>Edward Muegge</b>  <b>Francie E. Moeller</b>  <b>Katherine Corbett</b></p>
<p>Antonio M. Lawson, Esq.  Lawson Law Offices  835 Mandana Boulevard  Oakland, CA 94610  (510) 419-0940; Fax: (510) 419-0948  <b>Attorneys for Plaintiffs</b>  <b>Craig Thomas Yates</b>  <b>Edward Muegge</b>  <b>Francie E. Moeller</b>  <b>Katherine Corbett</b></p>	<p>Mari Mayeda, Esq.  P.O. Box 5138  Berkeley, CA 94705  (510) 841-4970  <b>Attorneys for Plaintiffs</b>  <b>Craig Thomas Yates</b>  <b>Edward Muegge</b>  <b>Francie E. Moeller</b>  <b>Katherine Corbett</b></p>